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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,219	07/18/2003	Charles H. Gale	50692/GSL/G486	4673

7590 12/01/2003
CHRISTIE, PARKER & HALE, LLP
P.O. BOX 7068
PASADENA, CA 91109-7068

EXAMINER

SMITH, ARTHUR A

ART UNIT PAPER NUMBER

2851

DATE MAILED: 12/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,219

Applicant(s)

GALE, CHARLES H.

Examiner

Arthur A Smith

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 11 recites the limitation "the camcorder" in line 4. There is insufficient antecedent basis for this limitation in the claim. The Examiner suggest changing that language to "a camera."

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 7 and 8 rejected under 35 U.S.C. 102(b) as being anticipated by Takubo (US 4407437).

In reference to claim 1, Takubo discloses a camera stabilizer, ref. 50, comprising: a platform having a first end connectable to a camera and a second end extending outwardly from the first end rest to rest on a shoulder of a camera operator, col. 4 lines 35-40; a handle, ref. 4, locked to the platform having camera controls contained thereon; and means for transmitting camera control signals from the handle to a signal receiving port on the camera, col. 4 lines 15-29 and 46-52.

In reference to claims 2 and 3, Takubo discloses wherein the handle is locked to the platform by having a locking pin biased from the handle into a bore in the platform, col. 6 lines 31-36.

In reference to claims 7 and 8, Takubo discloses wherein the means for transmitting the camera control signals is a signal bore extending through the platform, col. 6 lines 37-57. (The remote control is the trigger setup disclosed.)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takubo (US 4407437).

In reference to claims 4-6, Takubo discloses the limitations of the parent claims as disclosed above. Takubo does not disclose wherein the locking pin is biased by a spring, includes a knob for manually moving the locking pin or wherein the spring is positioned in the bore below the locking pin. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide those limitations to the locking pin of Takubo. The process of using a spring to bias a first device to make contact with a second device and returning that first device to a stowing position is old and well known in the art. Takubo discloses uses such a system for the camera trigger, col. 4 lines 24-29. One would provide this type of biasing with a spring to the locking pin

of Takubo to aid in storage. For example, since the locking pin is of a small diameter it could be easily broken off while the handle is being shifted in a storage case. By allowing the locking pin to be recessed into the handle itself would reduce the chance of damage to it.

Claims 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takubo (US 4407437) in view of The Zoom CommanderTM (internet printout).

In reference to claims 9, Takubo discloses the limitations of the parent claims as disclosed above. Takubo does not disclose a removable remote control. The Zoom CommanderTM discloses a removable remote control that is attachable to a camera platform with a shoulder brace, see page 3. It would have been obvious to one of ordinary skill in the art at the time the invention was made to realize that The Zoom CommanderTM could be attached to the camera brace of Takubo. The The Zoom CommanderTM would be attached to the brace of Takubo in order to provide more control over the many functions that are standard on today's cameras.

Claims 10-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takubo (US 4407437) in view of The Zoom CommanderTM (internet printout) and further in view of Kosako (US 5317354).

In reference to claims 10, Takubo and The Zoom CommanderTM discloses the limitations of the parent claims as disclosed above. The Zoom CommanderTM does not discloses where the means for transmitting camera control signals comprises a fiber optic fiber. Instead The Zoom CommanderTM discloses the control signals are transmitted through a wire connection, see page 2. Kosako discloses transmitted

control signals wirelessly and also using the aid of fiber optics to ensure that the signal reaches the camera sensor, col. 3 lines 21-52. It would have been obvious to one of ordinary skill in the art at the time the invention was made to realize that transmitting the signals through the use of a wire or wirelessly are interchangeable. One would chose to transmit wirelessly for convenience for example, if one wanted to use the remote at a great distant from the camera.

In reference to claims 11 and 17, Takubo discloses a camera platform, ref. 50, comprising: a shoulder section; a camera section adjacent to the shoulder section for supporting the camcorder, col. 4 lines 35-40; a handle, ref. 4, lockably attached to the camera section, col. 4 lines 15-29 and 46-52. Takubo does not disclose a removable remote control. The Zoom CommanderTM discloses a removable remote control that is attachable to a camera platform with a shoulder brace, see page 3. It would have been obvious to one of ordinary skill in the art at the time the invention was made to realize that The Zoom CommanderTM could be attached to the camera brace of Takubo. The The Zoom CommanderTM would be attached to the brace of Takubo in order to provide more control over the many functions that are standard on today's cameras. Takubo nor The Zoom CommanderTM discloses where the means for transmitting camera control signals comprises a fiber optic fiber. Kosako discloses transmitted control signals wirelessly and also using the aid of fiber optics to ensure that the signal reaches the camera sensor, col. 3 lines 21-52. It would have been obvious to one of ordinary skill in the art at the time the invention was made to realize that transmitting the signals through the use of a wire or wirelessly are interchangeable. One would chose to

transmit wirelessly for convenience for example, if one wanted to use the remote at a great distant from the camera.

In reference to claims 12, 18 and 19, Takubo discloses wherein the handle is lockably attached by a locking pin extending from the handle into the camera section, col. 6 lines 31-36.

In reference to claim 14, Takubo discloses wherein the camera section has a signal bore extending therethrough, such that control signals generated by the remote control can pas through the signal bore, col. 6 lines 37-57. (The remote control is the trigger setup disclosed.)

In reference to claims 15, 16 and 20, Takubo discloses the limitations of the parent claims as disclosed above. Takubo does not disclose wherein the locking pin is biased by a spring, includes a knob for manually moving the locking pin or wherein the spring is positioned in the bore below the locking pin. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide those limitations to the locking pin of Takubo. The process of using a spring to bias a first device to make contact with a second device and returning that first device to a stowing position is old and well known in the art. Takubo discloses uses such a system for the camera trigger, col. 4 lines 24-29. One would provide this type of biasing with a spring to the locking pin of Takubo to aid in storage. For example, since the locking pin is of a small diameter it could be easily broken off while the handle is being shifted in a storage case. By allowing the locking pin to be recessed into the handle itself would reduce the chance of damage to it.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Mini DV Shoulder Brace (internet printout) discloses a camera support with a shoulder brace and a detachable controller.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur A Smith whose telephone number is (703) 605 1228. The examiner can normally be reached on Monday - Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on (703) 308 2847. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 0956.

AAS
November 19, 2003


RUSSELL ADAMS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800